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Fax

Date: April 29, 2002

To: U.S. Patent & Trademark
Office

Fax #: (703) 746-7239

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Client Matter#: 21653-005.01

From: Kevin A. Oliver

Sender's Number: 1241

User #: 8032

Total Pages Sent (Including Cover Sheet): 107

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Message

Re: U.S. Patent Application No. 09/465,436
Systems and Methods for Backing Up Data Files
Filed: December 16, 1999

Dear Sir or Madam:

Enclosed are the following:

1. Transmittal Form/Certificate of Transmission (1 page);
2. Fee Transmittal for FY 2002/Certificate of Facsimile Transmission (2 pages);
3. Response/Certificate of Transmission under 37 C.F.R. § 1.8(a) (15 pages);
4. Correction of Drawings to Draftsman/Certificate of Transmission under 37 C.F.R. § 1.8(a) (8 pages);
5. Submission of Substitute Specification/Certificate of Transmission under 37 C.F.R. § 1.8(a) (80 pages)

Sincerely,
Kevin A. Oliver

20/501764.1

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PTO/SB/21 (08-00)

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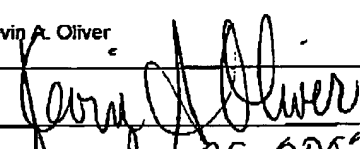
Approved for use through 10/31/2002. OMB 0651-0031

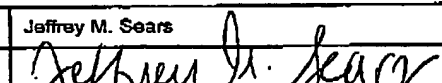
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/465,436	
	Filing Date	December 16, 1999	
	First Named Inventor	Midgley	
	Group Art Unit	2172	
	Examiner Name	Shahid Al Alam	
Total Number of Pages in This Submission	106	Attorney Docket Number	NTK-005.01

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Appointment of Power of Attorney and Revocation of Prior Powers	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	X Substitute Specification
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	Customer Number 25,181
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kevin A. Oliver
Signature	
Date	April 29, 2002

CERTIFICATE OF TRANSMISSION			
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Typed or printed name	Jeffrey M. Sears	Date	April 29, 2002
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FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

Complete If Known

Application Number	09/485,436
Filing Date	December 16, 1999
First Named Inventor	Mldgley
Examiner Name	Shahid A. Alam
Group / Art Unit	2172
Attorney Docket No.	NTK-005.01

TOTAL AMOUNT OF PAYMENT (\$ 240

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 06-1448, Reference NTK-005.01
- Deposit Account Name: Foley, Hoag & Elliot LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
28	-20 **	8	72
Independent Claims	7	4	168
Multiple Dependent			240

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 240

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	820*	112	820*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,980	228	990	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	820	244	410	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (a)	
128	180	128	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

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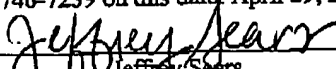
Name (Print/Type)	Kevin A. Oliver	Registration No. Attorney/Agent	42,049	Telephone	(617) 832-1241
Signature		Date	April 29, 2002		

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Jeffrey Sears